

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PRADA S.A.,

Plaintiff,

v.

**BIRDSONG, LLC. and NATHAN
ROSENBERG,**

Defendants.

CIVIL ACTION NO. 05-10205 JLT

FINAL CONSENT JUDGMENT

Upon agreement and consent of the parties, this Consent Judgment is hereby entered as follows:

That a permanent injunction is hereby issued enjoining and restraining Defendants Birdsong, LLC and Nathan Rosenberg, and their officers, agents, servants, employees and all those in active concert or participation with them, from:

- A. Using any reproduction, counterfeit, copy or colorable imitation of the Prada Trademarks to identify any goods or the rendering of any services not authorized by Plaintiff;
- B. Engaging in any course of conduct likely to cause confusion, deception or mistake, or to injure Plaintiff's business reputation or dilute the distinctive quality of Plaintiff's name and Plaintiff's Prada Trademarks;

- C. Using a false description or representation including words or other symbols tending to falsely describe or represent Defendants' unauthorized goods as being those of Plaintiff or sponsored by or associated with Plaintiff and from offering such goods in commerce;
- D. Further infringing Plaintiff's Prada Trademarks by manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising, promoting, renting, displaying or otherwise disposing of any products not authorized by Plaintiff bearing any simulation, reproduction, counterfeit, copy or colorable imitation of Plaintiff's Prada Trademarks;
- E. Using any simulation, reproduction, counterfeit, copy or colorable imitation of Plaintiff's Prada Trademarks in connection with the rental, promotion, advertisement, display, sale, offering for sale, manufacture, production, circulation or distribution of any unauthorized products in such fashion as to relate or connect, or tend to relate or connect, such products in any way to Plaintiff, or to any goods sold, manufactured, sponsored, approved by or connected with Plaintiff;
- F. Making any false statement or representation in connection with any Prada trademark, or using any false designation of origin or false description;

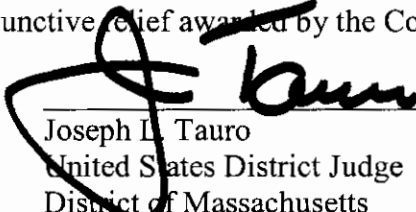
- G. Secreting, destroying, altering, removing or otherwise dealing with the unauthorized products or any books or records which contain any information relating to the importing, manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising, promoting, renting or displaying of all unauthorized products which infringe the Prada Trademarks; and
- H. Effecting assignments or transfers, forming new entities, associations or websites, or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in subparagraphs (A) through (H), above.

FURTHER ORDERED, that Defendants have consented to the jurisdiction of this Court and that this Court shall have continuing jurisdiction with regard to enforcing the terms of this Final Consent Judgment;

FURTHER ORDERED, that all monetary claims of Plaintiff against the Defendants arising from Defendants' conduct prior to the date of this Consent Judgment are hereby deemed to be fully paid and fully satisfied;

FURTHER ORDERED, that in the event of a default or breach of any provision of this Final Consent Judgment by Defendants, Plaintiff shall be entitled to all costs and expenses arising out of said default or breach, including reasonable attorney's fees, paid or incurred by Plaintiff in enforcing and obtaining Defendants' performance of the terms of this Final Consent Judgment, in addition to any fees, damages or injunctive relief awarded by the Court.

Dated: 5/24/, 2005



Joseph L. Tauro
United States District Judge
District of Massachusetts

Upon Consent of:

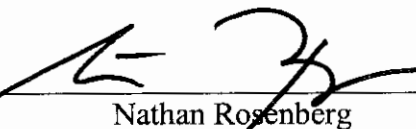
PRADA S.A..

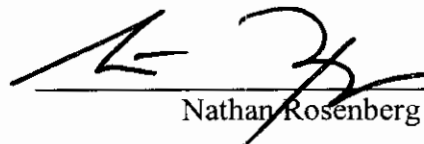
BIRDSONG LLC

By its Attorneys,

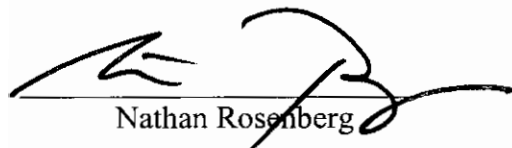


Mark Schonfeld
BBO No. 446980
Burns & Levinson LLP
125 Summer Street
Boston, MA 02110
(617) 345-3000

By: 
Nathan Rosenberg


Nathan Rosenberg

I, Nathan Rosenberg, hereby state that I have consulted with my counsel, Philip A. Kantor, Esq., Suite 140, 1635 Village Center Circle, Las Vegas Nevada 89134 and that I have signed this Final Consent Judgment after consultation with said attorney.


Nathan Rosenberg

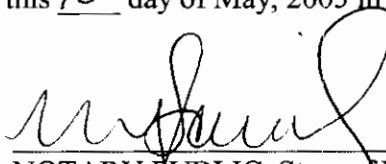
STATE OF NEW YORK

Nassau, ss

BEFORE ME, the undersigned authority, duly licensed to administer oaths and take acknowledgments, personally appeared Nathan Rosenberg who, after being duly sworn, deposes and says that he executed the foregoing Final Consent Judgment, and he acknowledged before me that the information contained therein is true and correct to the best of his knowledge and belief.

WITNESS, my hand and official seal this 10 day of May, 2005 in the County and State first above written.

NOTARY PUBLIC
SEAL OF OFFICE:



NOTARY PUBLIC, State of New York
Matthew R.J. Sandrowicz
NOTARY PUBLIC, State of New York
No. 01SA6067654
Qualified in Nassau County
Commission Expires 12/10/05

(Name of Notary Public: Print, Stamp,
or Type as Commissioned)

☐ Personally Known to me, or
☒ Produced Identification:

NEW YORK STATE DRIVER LICENSE.
(Type of Identification produced)